

**53A-14-101. Creation of commission -- Powers -- Payment of expenses.**

(1) The State Board of Education shall appoint a State Instructional Materials Commission consisting of:

(a) the state superintendent of public instruction or the superintendent's designee;

(b) a school district superintendent;

(c) a secondary school principal;

(d) an elementary school principal;

(e) a secondary school teacher;

(f) an elementary school teacher;

(g) five persons not employed in public education; and

(h) a dean of a school of education of a state college or university.

(2) The commission shall evaluate instructional materials for recommendation by the board.

(3) As used in this chapter, "instructional materials" means textbooks or materials used as, or in place, of textbooks and which may be used within the state curriculum framework for courses of study by students in public schools to include:

(a) textbooks;

(b) workbooks;

(c) computer software;

(d) laserdiscs or videodiscs; and

(e) multiple forms of communications media.

(4) Members shall serve without compensation, but their actual and necessary expenses incurred in the performance of their official duties shall be paid out of money appropriated to the board.

Amended by Chapter 299, 2002 General Session

**53A-14-102. Commission's evaluation of instructional materials -- Recommendation by the state board.**

(1) Semi-annually after reviewing the evaluations of the commission, the board shall recommend instructional materials for use in the public schools.

(2) The standard period of time instructional materials shall remain on the list of recommended instructional materials shall be five years.

(3) Unsatisfactory instructional materials may be removed from the list of recommended instructional materials at any time within the period applicable to the instructional materials.

(4) Except as provided in Section 53A-13-101, each school shall have discretion to select instructional materials for use by the school. A school may select:

(a) instructional materials recommended by the board as provided in this section; or

(b) other instructional materials it considers appropriate to teach the core curriculum.

Amended by Chapter 299, 2002 General Session

**53A-14-103. Meetings -- Notice.**

- (1) The commission shall meet at the call of the state superintendent of public instruction or the superintendent's designee.
- (2) Notice of a meeting shall be given as required under Section 52-4-202.

Amended by Chapter 14, 2006 General Session

**53A-14-104. Sealed proposals for instructional materials contracts -- Sample copies -- Price of instructional materials.**

- (1) As used in this section, the word "sealed" does not preclude acceptance of electronically sealed and submitted bids or proposals in addition to bids or proposals manually sealed and submitted.
- (2) A person seeking a contract to furnish instructional materials for use in the public schools shall submit a sealed proposal to the commission.
- (3) Each proposal must:
  - (a) be accompanied by sample copies of the instructional materials to be reviewed; and
  - (b) include the wholesale price at which the publisher agrees to furnish the instructional materials to districts and schools during the approval period.

Amended by Chapter 84, 2001 General Session

**53A-14-105. Awarding instructional materials contracts.**

- (1) The board shall award contracts for furnishing instructional materials.
- (2) If a satisfactory proposal to furnish instructional materials is not received, a new request for proposals may be issued.

Amended by Chapter 84, 2001 General Session

**53A-14-106. Illegal acts -- Misdemeanor.**

It is a misdemeanor for a member of the commission or the board to receive money or other remuneration as an inducement for the recommendation or introduction of instructional materials into the schools.

Amended by Chapter 84, 2001 General Session

**53A-14-107. Instructional materials alignment with core curriculum.**

- (1) For a school year beginning with or after the 2012-13 school year, a school district may not purchase primary instructional materials unless the primary instructional materials provider:
  - (a) contracts with an independent party to evaluate and map the alignment of the primary instructional materials with the core curriculum adopted under Section 53A-1-402;
  - (b) provides a detailed summary of the evaluation under Subsection (1)(a) on a public website at no charge, for use by teachers and the general public; and
  - (c) pays the costs related to the requirements of this Subsection (1).

- (2) The requirements under Subsection (1) may not be performed by:
- (a) the State Board of Education;
  - (b) the superintendent of public instruction or the State Office of Education;
  - (c) the State Instructional Materials Commission appointed pursuant to Section 53A-14-101;
  - (d) a local school board or a school district; or
  - (e) the instructional materials creator or publisher.
- (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the State Board of Education shall make rules that establish:
- (a) the qualifications of the independent parties who may evaluate and map the alignment of the primary instructional materials in accordance with the provisions of Subsection (1)(a); and
  - (b) requirements for the detailed summary of the evaluation and its placement on a public website in accordance with the provisions of Subsection (1)(b).

Amended by Chapter 305, 2010 General Session